

**Notice of Allowability**

Application No.

10/648,876

Applicant(s)

REINEKE, FRANK

Examiner

Gregory J. Strimbu

Art Unit

3634

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of 7/17/08 and the tele. int. of 8/15/08.
2. ☒ The allowed claim(s) is/are 1, 4-12, 15, 26-31.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☒ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application   |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>8/15/08</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date ____     | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                                   |
|  | 9. <input type="checkbox"/> Other ____.   |

### **EXAMINER'S AMENDMENT**

An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on August 15, 2008, Myron Greenspan requested an extension of time for 3 MONTH(S) and authorized the Director to charge Deposit Account No. 10-0100 the required fee of \$525.00 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the title:

changed the title to --VEHICLE SEAL WITH DISCONTINUOUS ALTERNATING SOFT AND RIGID U-SHAPED SEGMENTS AND METHOD OF FORMING SAME--

In the specification:

page 7,

line 6, changed "section" to --section,--

following line 6 but before line 7, inserted --Fig. 5 view similar to Fig. 1 but where sections have different lengths.--

line 8, inserted --or sections-- following "composition" and inserted --or sections-- following "bodies"

line 16, inserted --As shown in Figures 1 and 5, the sections 1 and 2 can have the same, different or varying lengths along the longitudinal length direction of the seal strand.-- following "materials."

In the abstract:

line 2, deleted "seal is formed of a" and deleted "that"

line 3, changed "softer" to --soft--

line 5, changed "harder" to --hard--

line 7, changed the first occurrence of "portions" to --sections--

line 9, deleted "Both . . . of the"

line 10, deleted the first occurrence of "vehicle seal"

In the claims:

claim 1,

line 4, changed "is formed as a strand of at least two different" to --comprises--

line 5, deleted "substances, including"

line 6, inserted --first-- before "material", changed "together with" to --and-- and inserted --a-- following "of"

line 7, deleted "another", inserted a comma following "stable" and inserted --second-- following "rigid"

line 8, inserted --, wherein said first material being different from said second material and-- following the last occurrence of "hardness"

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line 9, deleted "with the"

line 10, changed "having" to --have-- and changed "being" to --are--

line 11, changed "formed by the same material" to --and homogenously formed  
by a respective one of said first and second materials--

line 12, changed "cross-section and" to --cross-section, and said first and second  
sections--

line 13, deleted "intermittently"

line 14, changed "direction, successive" to --direction with successive said--

line 15, inserted --said -- following "adjacent" and inserted --said-- following  
"successive"

line 16, inserted --said-- following "adjacent"

claim 4,

line 2, changed "nonmetallic" to --first--

claim 5,

line 2, changed "nonmetallic-material" to --nonmetallic second material--

claim 6,

line 2, deleted "strand"

line 3, deleted "soft or"

claim 7,

line 1, deleted "wherein"

changed line 2 to --further comprising at least one hollow--

claim 8,

line 1, changed "the production of" to --producing--

changed line 5 to --reinforcement as first individual sections of a nonmetallic,--

line 6, inserted --first -- following "elastic" and deleted "forming first individual"

changed line 7 to --and second individual sections of a nonmetallic dimensionally stable, generally rigid second material--

line 8, deleted "forming second individual sections (2) and"

line 9, deleted "with" and deleted "intermittently"

changed line 10 to --one after the other along said longitudinal direction with successive said first sections being fully separated from each other by adjacent said second sections and successive said second sections being fully separated from each other by adjacent said first sections, said first material being different from said second material and each of said sections having said--

line 11, inserted --and homogenously-- following "continuously" and changed "the same material" to --a respective one of said first and second materials--

changed line 13 to --cross-section.--

deleted lines 14-15

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claim 9,

line 2, deleted "strand"

claim 10,

line 2, deleted "strand"

claim 11,

line 2, inserted --first-- before "material" and deleted "selected"

claim 12,

line 2, inserted --second-- before "material" and deleted "selected"

claim 15,

line 2, deleted "strand" and changed "a further soft or" to --more--

canceled claims 16-23

added new claims 26-31 as follows:

--26. A strand-form vehicle seal as claimed in claim 1, wherein a length of said first sections is different from a length of said second sections.--

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--27. A strand-form vehicle seal as claimed in claim 1, wherein the lengths of at least one of said sections vary.--

--28. A strand-form vehicle seal as claimed in claim 1, wherein said first sections have the same length as said second sections.--

--29. A method as claimed in claim 8, wherein said first sections have the same length as said second sections.--

--30. A method as claimed in claim 8, wherein a length of said first sections is different from a length of said second sections.--

--31. A method as claimed in claim 8, wherein the lengths of at least one of said sections vary.--

### ***Drawings***

The following changes to the drawings have been approved by the examiner and agreed upon by applicant:

- 1) change the cross sectional shading in figure 2 to a plastic cross sectional shading. See MPEP 608.02.
- 2) include a new figure 5 showing the lengths of the sections varying.

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 571-272-6836. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Katherine Mitchell can be reached on 571-272-7069. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gregory J. Strimbu/  
Primary Examiner, Art Unit 3634